

### **REMARKS**

The present application is a continuation of application number 09/562,585. This continuation was filed while an Office Action dated August 27, 2003 (hereinafter “Office Action”) was pending, and thus the Applicant will address the rejections from that Office Action as they pertain to the continuation.

The issues in the parent application are as follows:

Claims 14-20 of the parent application were rejected under 35 U.S.C. § 102(b).

The drawings, the specification, and claim 14 have been currently amended to reflect amendments made to the parent application during its prosecution. Claim 14 has been further amended to clarify the claimed invention, and not for the purpose of limiting its scope. No new matter has been added.

#### **I. Rejections Based on 35 U.S.C. § 112**

Claim 19 was rejected under 35 U.S.C. § 112 as failing to comply with the written description requirement. The Office Action at page 2 opined that the specification failed to describe that any sort of power supply is used to power the component. In order to further the prosecution and without conceding that claim 19 does contain subject matter not described in the specification, the specification has been amended to specifically recite the application of power to the component. The Applicant respectfully points out that the component referred to in the embodiments of FIGURE 2 and FIGURE 4 in the specification is an integrated circuit package that has the inherent property of being electrically powered, and thus does not constitute new matter under M.P.E.P. § 2163.07(a).

#### **II. Rejections Based on 35 U.S.C. § 102(b)**

Claims 14 – 20 in the parent application were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,461,326, Woith, et al. (hereinafter *Woith*). However, in order to anticipate a claim, *Woith* must teach every element of that claim, and further, the elements must be arranged as required by the claim, see M.P.E.P. § 2131, citing *In re Bond*, 15 U.S. PQ2d, 1566 (Fed. Cir. 1990). Claim 14 includes “providing access to electrical

contact points within a vast majority of the region of interest,” *Woith* does not appear to have any electrical contact points within the region of interest, and even if it did, the closed nature of the apparatus in *Woith* does not appear to provide access to the region of interest at all. Therefore, the Applicant respectfully asserts that *Woith* does not teach all of the elements of claim 14, and request that the 35 U.S.C. § 102 rejection of record be withdrawn.

Claims 15 – 20 depend directly from claim 14, and thus inherit all the limitations of claim 14. Therefore, claims 15 – 20 contain elements not taught by *Woith*, and the Applicant respectfully requests that the 35 U.S.C. § 102 rejection of record be withdrawn.

### CONCLUSION

For all the reasons given above, the Applicant submits that the pending claims are patentable over the prior art of record under 35 U.S.C. §§ 112 and 102(b). Accordingly, the Applicant submits that this application is in full condition for allowance.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

Applicant believes no additional fee is due with this response. However, if other fees are due, please charge Deposit Account No. 08-2025, under Order No. 10002502-2 from which the undersigned is authorized to draw.

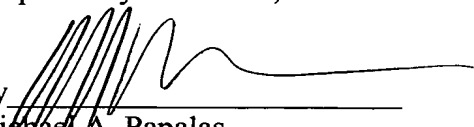
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Date of Deposit: December 2, 2003

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